



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/520,809

02/02/2005

Koji Kawai

TIP-04-1339

9964

35811 7590 08/15/2008
IP GROUP OF DLA PIPER US LLP
ONE LIBERTY PLACE
1650 MARKET ST, SUITE 4900
PHILADELPHIA, PA 19103

EXAMINER

GEMBEH, SHIRLEY V

ART UNIT

PAPER NUMBER

1618

MAIL DATE

DELIVERY MODE

08/15/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No. 10/520,809	Applicant(s) KAWAI ET AL.	
	Examiner SHIRLEY V. GEMBEH	Art Unit 1618	

All participants (applicant, applicant's representative, PTO personnel):

- (1) SHIRLEY V. GEMBEH. (3) Blessing Fubara.
 (2) William Peter Long. (4) ____.

Date of Interview: 11 August 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
 If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: Rudd.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant argues that the Rudd reference does not teach treating emesis caused by mu- opioid agonist compound but rather teaches emesis caused by nicotine induced, that the claims are directed to treating vomiting/emesis caused by a mu-opioid agonist, Examiner agrees to carefully consider the remarks and the references used..

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Shirley V. Gembeh/ 8/11/08

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action. Examiner's signature, if required